

# *Daily Digest*

## Senate

### *Chamber Action*

*Routine Proceedings, pages S1583–S1638*

**Measures Introduced:** Three bills and one resolution were introduced, as follows: S. 2188–2190, and S. Res. 395. **Pages S1613–14**

**Measures Considered:**

**Moving Ahead for Progress in the 21st Century—Agreement:** Senate resumed consideration of S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, taking action on the following amendments proposed thereto:

**Pages S1592–S1610**

Adopted:

By 50 yeas to 47 nays (Vote No. 37), Bingaman/Durbin Amendment No. 1759, to remove privatized highways from consideration in apportioning highway funding among States. **Pages S1593–94, S1595–96**

Brown (OH)/Merkley Amendment No. 1819, to close a loophole in current law which has allowed public infrastructure projects to be outsourced, to standardize the process by which the Secretary of Transportation responds to requests for waivers to applicable Buy America provisions, and to require the Secretary to report annually to Congress regarding such waivers. **Pages S1601–02**

Blunt/Casey Amendment No. 1540, to modify the section relating to off-system bridges.

**Pages S1593, S1602**

Merkley Modified Amendment No. 1814, to provide exemptions from requirements for certain farm vehicles. **Pages S1602–03**

Klobuchar/Roberts Amendment No. 1617, to amend the Motor Carrier Safety Improvement Act of 1999 to provide clarification regarding the applicability of exemptions relating to the transportation of agricultural commodities and farm supplies.

**Pages S1603–04**

Boxer Amendment No. 1830, to improve the bill.

**Page S1606**

Rejected:

By 30 yeas to 67 nays (Vote No. 36), Coats (for DeMint) Amendment No. 1756, to return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national

surface transportation systems that are not within the direct purview of the Federal Government.

**Pages S1593, S1594–95**

By 41 yeas to 57 nays (Vote No. 38), Roberts Modified Amendment No. 1826, of a perfecting nature. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.)

**Pages S1593, S1596–97**

By 49 yeas to 49 nays (Vote No. 39), Stabenow Modified Amendment No. 1812, to prevent a tax increase on American businesses and to provide certainty to job creators by extending certain expiring tax credits relating to energy. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.)

**Pages S1597–99**

By 26 yeas to 72 nays (Vote No. 40), Coats (for DeMint) Amendment No. 1589, to amend the Internal Revenue Code of 1986 to terminate certain energy tax subsidies and lower the corporate income tax rate. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.)

**Pages S1593, S1599–S1600**

By 51 yeas to 47 nays (Vote No. 41), Menendez Amendment No. 1782, to amend the Internal Revenue Code of 1986 to modify certain tax credits relating to energy. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.)

**Pages S1600–01**

By 28 yeas to 70 nays (Vote No. 42), Coats/Lugar Amendment No. 1517, to modify the apportionment formula to ensure that the percentage of apportioned funds received by a State is the same as the percentage of total gas taxes paid by the State. **Page S1601**

By 30 yeas to 68 nays (Vote No. 43), Portman/Coburn Amendment No. 1736, to free States to spend gas taxes on their transportation priorities.

**Pages S1593, S1604**

By 12 yeas to 86 nays (Vote No. 45), Portman Amendment No. 1742, to allow States to permit nonhighway uses in rest areas along any highway.

**Pages S1593, S1605–06**

Pending:

McCain Modified Amendment No. 1669, to enhance the natural quiet and safety of airspace of the Grand Canyon National Park. **Page S1593**

Corker Amendment No. 1810, to ensure that the aggregate amount made available for transportation projects for a fiscal year does not exceed the estimated amount available for those projects in the Highway Trust Fund for the fiscal year. **Page S1593**

Coats (for Alexander) Amendment No. 1779, to make technical corrections to certain provisions relating to overflights of National Parks. **Page S1593**

During consideration of this measure today, Senate also took the following action:

By 40 yeas to 58 nays (Vote No. 44), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, with respect to Corker Modified Amendment No. 1785, to lower the FY13 discretionary budget authority cap as set in the Balanced Budget and Emergency Deficit Control Act of 1985 by \$11,000,000,000 in order to offset the general fund transfers to the Highway Trust Fund. Subsequently, the Chair sustained a point of order against Corker Modified Amendment No. 1785, as being in violation of section 306 of the Congressional Budget Act of 1974.

**Pages S1593, S1604–05**

A unanimous-consent request was granted permitting Senator Ayotte to change her yeas vote to a nay vote on Vote No. 28 changing the outcome of the vote to 43 yeas to 55 nays relative to Vitter Amendment No. 1535. **Page S1606**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, March 14, 2012; with the time until 11:30 a.m. equally divided between the two Leaders, or their designees; that upon the disposition of the bill, Senate proceed to a period of morning business until 2 p.m.

**Page S1638**

**Groh Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that at 2 p.m., on Wednesday, March 14, 2012, Senate resume consideration of the nomination of Gina Marie Groh, of West Virginia, to be United States District Judge for the Northern District of West Virginia, and that there be 30 minutes for debate equally divided prior to the vote on the motion to invoke cloture on the nomination. **Page S1638**

**Measures Placed on the Calendar:**

**Pages S1583, S1613**

**Executive Communications:**

**Page S1613**

**Additional Cosponsors:**

**Pages S1614–15**

**Statements on Introduced Bills/Resolutions:**

**Pages S1615–18**

**Additional Statements:**

**Pages S1610–13**

**Amendments Submitted:**

**Pages S1618–38**

**Notices of Hearings/Meetings:**

**Page S1638**

**Authorities for Committees to Meet:**

**Page S1638**

**Record Votes:** Ten record votes were taken today. (Total—45) **Pages S1595–97, S1599, S1601, S1604–06**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:45 p.m., until 9:30 a.m. on Wednesday, March 14, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1638.)

## Committee Meetings

*(Committees not listed did not meet)*

### DEFENSE AUTHORIZATION REQUEST AND THE FUTURE YEARS DEFENSE PROGRAM

*Committee on Armed Services:* Committee concluded a hearing to examine U.S. Southern Command and U.S. Northern Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, after receiving testimony from General Douglas M. Fraser, United States Air Force, Commander, United States Southern Command, and General Charles H. Jacoby, Jr., United States Army, Commander, United States Northern Command, and North American Aerospace Defense Command, both of the Department of Defense.

### DEPARTMENT OF ENERGY LOAN AND LOAN GUARANTEE PORTFOLIO

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine the report of the Independent Consultant's Review with Respect to the Department of Energy Loan and Loan Guarantee Portfolio, after receiving testimony from Steven Chu, Secretary of Energy.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Frederick D. Barton, of Maine, to be an Assistant Secretary of State (Conflict and Stabilization Operations), and to be Coordinator for Reconstruction and Stabilization, and William E. Todd, of Virginia, to be Ambassador to the Kingdom of Cambodia, both of the Department of State, and Sara Margalit Aviel, of California, to be United States Alternate Executive Director of